

REMARKS

Claims 1-20 are pending. By this response, claims 1 and 11 are amended and claims 19 and 20 are added. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

Interview

Applicant appreciates the courtesies extended to applicant's representative during the interview conducted on August 24, 2004. During the interview, the absence of using a quality ticket and a lack of logging a repair suggestion for a unique defect or symptom within Horejsi teachings was discussed. The Examiner argued that the logging of a repair suggestion is not taught by Horejsi and did not agree that one of ordinary skill would not be motivated based on the teachings in the art and in Horejsi to include such a feature in Horejsi's system. The Examiner suggested clarifying the quality ticket and the operator of the repair suggestion by amendments to the claims. The Examiner stated that such amendments would possibly overcome the Horejsi rejection upon further consideration by the Examiner.

Prior Art Rejection

Claims 1-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Horejsi (U.S. Patent No. 5,239,487). This rejection is respectfully traversed.

Applicant, for purpose of brevity, hereby incorporate the arguments presented in the Response dated March 9, 2004.

As argued in the previous Response and during the interview, Horejsi teaches an operator that may obtain information about a manufactured article from a knowledge database in order to diagnose a problem that is occurring with the article. The knowledge database provides a generalized list of information pertaining to the history of the article and possible correction for the symptoms that are occurring. The operator must discern based on the influx of information how to diagnose the problem. The operator does not utilize a quality ticket in conjunction with a knowledge database to asses defects as taught in applicant's claimed invention.

In Horejsi, prior to obtaining the information from the database, the operator inputs the serial number of the article and selects a component on the article that appears to be causing problems. Based on the content of the interview, the Examiner seems to consider the serial number and selection of a troubled component on the article as representing applicant's claimed quality ticket. Applicant respectfully disagrees.

Applicants respectfully submit that the quality ticket is much more than just identifying and providing a symptom of an article or module. The quality ticket of the present invention provides a breadth of knowledge concerning the unique problem associated with the module. The quality ticket provides this focused information which allows the operator to quickly respond to the problem

without necessarily having to traverse through a vast knowledge database containing a mixture of related and unrelated information. As claimed, applicant's quality ticket also includes, *inter alia*, a logging repair suggestion and logging repair action. The quality ticket may also include operator notes and comments in other pertinent information regarding the specific module and the specific symptom and defect of the module. These features of applicant's quality ticket are not taught in Horejsi.

The Examiner admits that logging a repair suggestion and logging a repair action is not taught by Horejsi. The Examiner concludes that it would have been obvious to include such features in Horejsi's teachings. However, the Examiner provides no evidence based upon teachings in Horejsi of one of ordinary skill in the art to modify Horejsi's teachings to include applicant's quality ticket using a logging repair suggestion and logging repair action. As discussed above, Horejsi uses a knowledge database to diagnose problems. Further, Horejsi makes no suggestion or teaching to include the serial number and symptom component information in a separate informational media for an operators use, let alone include additional repair information associated with the unique problem.

Applicant notes that obviousness cannot be established by a hindsight combination to produce the claimed invention. *In re Gorman*, 933 F.2d 982, 986, 18 USPQ2d 1885, 1888 (Fed. Cir. 1991). It is the prior art itself and not the applicant's achievement, that must establish the obviousness of the combination. Therefore, applicant submits that the only motivation to make such modifications

to Horejsi is based on an impermissible hindsight reference to applicant's specification.

Applicants respectfully submit that the amendments to the claims further clarify the features of the quality ticket and its use. Based upon the above amendments and remarks, applicants respectfully submit that Horejsi fails to teach or suggest, *inter alia*, a quality ticket uniquely identifying a defected module and a symptom thereof . . . logging, by an operator, a repair suggestion in the quality ticket based on said defected termination, performing a repair action intended to repair the defective module based on the logged repair suggestion contained in the quality ticket, testing the repair module to determine if the defect has been corrected and updated the knowledge base according to said testing, as recited in claim 1.

Further, applicant respectfully submits that Horejsi fails to teach or suggest, *inter alia*, a data base storing a knowledge base and the quality ticket uniquely identifying a defected module and a symptom thereof ...a work station also usable by the operator to log a repair suggestion in the quality ticket based on the defect determination in view of the logged repair suggestion to aid in the repair of the defected module, set work station further usable by the operator to log a repair action to the defected module in the quality ticket, said work station further usable by the operator to provide feedback as to whether the defect had been corrected based on testing a repair module and said knowledge base being updated according to the feedback, as recited in claim 11.

Further, dependent claims 2-10 and 12-20 are likewise distinguishable over the cited reference for the reasons stated above.

Therefore, in view of the above, applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §103.

Conclusion

For at least these reasons, it is respectfully submitted that claims 1-20 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appl. No. 09/827,979

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s)